

Administrative Civil Liability
Order No. R9-2004-0100
San Diego County Water Authority
Bradley Park Pipelines 3 & 4 Relocation Project

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May 12, 2004

than 40% greater than the Effluent Limitation, and for Total Phosphorus was at least 0.14 mg/L, 40% greater than the Effluent Limitation.

4. Water Code Section 13385(h)(2) states that a "serious violation" means any waste discharge that violates the effluent limitations contained in the applicable waste discharge requirements for a Group II pollutant, as specified in Appendix A to Section 123.45 of Title 40 of the Code of Federal Regulations, by 20 percent or more, or for a Group I pollutant, as specified in Appendix A to Section 123.45 of Title 40 of the Code of Federal Regulations, by 40 percent or more. Total Nitrogen, Total Phosphorus and Manganese are Group I pollutants.
5. Consideration of the factors prescribed in California Water Code Section 13385(e) based upon information available to the Regional Board supports assessment of civil liability pursuant to Water Code section 13385(i) in the amount of \$12,000. Furthermore, Water Code Section 13385(h)(1) requires the Regional Board to assess a mandatory penalty of three thousand dollars (\$3,000) for each serious violation. Under Water Code section 13385(h) the amount of the mandatory minimum penalty that must be assessed is \$12,000 for the serious violation.
6. The Regional Board incurred costs totaling \$4,444, to prosecute this enforcement action; the costs include investigation, preparation of enforcement documents, and communication with the Discharger.
7. Issuance of this Order is exempt from the provisions of the California Environmental Quality Act (Public Resources Code section 21000 et seq.) in accordance with Section 15321, Chapter 3, Title 14, California Code of Regulations.

IT IS HEREBY ORDERED that pursuant to section 13385 of the California Water Code, civil liability is imposed on the San Diego County Water Authority in the amount of twelve thousand dollars (\$12,000).

I, John H. Robertus, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order imposing civil liability assessed by the California Regional Water Quality Control Board, San Diego Region, on May 12, 2004.



JOHN H. ROBERTUS
Executive Officer